

**Commonwealth of Massachusetts
Executive Office of Health and Human Services
Office of Medicaid**

NOTICE OF PUBLIC HEARING

Pursuant to the authority of M.G.L. c. 6A, s. 16 and in accordance with M.G.L. c. 30A, s. 2, a public hearing will be held on February 19, 2009, at 9:00 A.M. in Room 1 on the 21st Floor, One Ashburton Place, Boston, MA, relative to the adoption of:

130 CMR 450.000: Administrative and Billing Regulations

The proposed amendment increases the member copayment from \$1 to \$2 for certain generic drugs and over-the-counter drugs covered by MassHealth for each prescription and refill. The proposed revision would result in the following structure for copayments: \$1 for each prescription and refill for each generic drug and over-the-counter drug covered by MassHealth in the following drug classes: antihyperglycemics, antihypertensives, and antihyperlipidemics; \$2 for each prescription and refill for other generic drugs and over-the-counter drugs covered by MassHealth; and \$3 for each prescription and refill for brand-name drugs covered by MassHealth. All other copayment rules would remain unchanged.

These amendments will go into effect on February 1, 2009, as emergency regulations. There is no fiscal impact on cities and towns.

Interested parties are encouraged to submit comments on these proposed regulations. All persons desiring to be heard on this matter are hereby notified to appear at the designated time and place. Persons who notify EOHHS that they intend to speak will be afforded an early opportunity to testify if EOHHS receives notice by 5:00 P.M. on February 18, 2009. Contact us by telephone at 617-573-1770 or by fax at 617-573-1894. If you do not provide EOHHS with advance notice of your desire to speak, you will still be given an opportunity to do so if you appear at the hearing. Written comments will be accepted up until 5:00 P.M. on February 24, 2009, and may be sent to the Executive Office of Health and Human Services, Office of Medicaid, One Ashburton Place, Room 1109, Boston, MA 02108, or e-mailed to masshealthpublicnotice@state.ma.us. E-mailed comments should contain the sender's name, mailing address, and organization or affiliation, if any.

All persons desiring to review the current draft of the proposed actions may go to www.mass.gov/masshealth/proposedregs or request a copy in writing or in person from MassHealth Publications, 600 Washington Street, Boston, MA 02111.

MassHealth may adopt a revised version of the proposed actions taking into account relevant comments and any other practical alternatives that come to its attention.

By Order of: Tom Dehner, Medicaid Director

January 23, 2009